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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	DASSEUX et al	Confirmation No.:	To be Assigned
Serial No.:	10/801,897	Art Unit:	To be Assigned
Filed:	March 15, 2004	Examiner:	To be Assigned
For:	APOLIPOPROTEIN A-I AGONISTS AND THEIR USE TO TREAT DYSLIPIDEMIC DISORDERS	Attorney Docket No:	9196-032-999 305734-999031

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. §1.56 and §1.97 to inform the U.S. Patent and Trademark Office ("PTO") of all references coming to the attention of each individual associated with the filing and prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to References AA through ER which are listed on the accompanying PTO Form 1449.

Applicants respectfully request that references cited be made of record in the file history of the above-captioned application.

Applicants believe that there is no fee due for this submission. However, the Commissioner is authorized to charge any required fee to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: May 25, 2004

Irina E. Britva, Patent Agent 50,498
for Anthony M. Insogna 35,203

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Express Mail No.: ER 042 052 065 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: DASSEUX *et al.*	Confirmation No.: To be Assigned
Application No.: 10/801,897	Group Art Unit: To be Assigned
Filed: March 15, 2004	Examiner: To be Assigned
For: Apolipoprotein A-I Agonists and Their Use to Treat Dyslipidemic Disorders	Attorney Docket No.: 9196-032-999

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application. This paper is being filed pursuant to C.F.R. § 1.34.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of :

☐ Each U.S. patent application publication and U.S. and foreign patent;

☐ Each publication or that portion which caused it to be listed on the PTO-1449;

☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;

☐ all other information or portion which caused it to be listed on the PTO-1449.

1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.

1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.

2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
☒ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);

☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;

☐ Before the mailing of the first Office action on the merits;

☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b. ☐ The $180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
☐ enclosed
☐ to be charged to Jones Day Deposit Account No. 503013.

(Item 3b to be checked if any reference known for more than 3 months)

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The $180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Jones Day Deposit Account No. 503013.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)

(Check either Item 5a or 5b)

5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

6. ☒ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.

6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial Nos. 08/940,093 (now U.S. Patent 6,037,323), 09/465,719 (now U.S. Patent 6,265,377), and 09/865,989 (now U.S. Patent 6,734,169) filed on September 29, 1997, December 17, 1999 and May 25, 2001, respectively , of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).

6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application, respectively, and are provided herewith.

7. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 7a)

7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .

8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check Item 8a, 8b, or 8c)

8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.

8b. ☐ set forth in the application.

8c. ☐ enclosed as an attachment hereto.

9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 503013.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: May 25, 2004

Irina E. Britva, Patent Agent 50,498
for Anthony M. Insogna 35,203

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LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.	APPLICATION NO.
9196-019-999	09/865,989
APPLICANT	
Dasseux *et al.*	
FILING DATE	**GROUP**
May 25, 2001	1653

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,229,360	10/21/80	Schneider *et al.*			
	AB	4,411,894	10/25/83	Schrank *et al.*			
	AC	4,643,998	02/17/87	Segrest *et al.*			
	AD	4,857,319	08/15/89	Crowe *et al.*			
	AE	4,880,635	11/14/89	Janoff *et al.*			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AF	WO 93/25581	12/23/93	PCT				
	AG	WO 94/13819	06/23/94	PCT				
	AH	WO 96/04916	02/22/96	PCT				
	AI	WO 96/37608	11/28/96	PCT				
	AJ	0 162 414	05/15/85	EPO				

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EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with **MPEP 609**; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.